

ORIGINAL

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

In the Matter of )  
 )  
Amendment of Section 73.622(b), )  
Table of Allotments, )  
Digital Television Broadcast )  
Stations. )  
(Macon, Georgia) )

MM Docket No. 01-1  
RM-100

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

To: Chief, Video Services Division

**RESPONSE TO OPPOSITION TO MOTION TO ACCEPT  
LATE-FILED REPLY COMMENTS OF  
GEORGIA PUBLIC TELECOMMUNICATIONS COMMISSION**

Georgia Public Telecommunications Commission ("GPTC"), licensee of public television station WGTW-TV, Athens, Georgia, is filing this Response to the Opposition To Motion To Accept Late-Filed Reply Comments of Georgia Public Telecommunications Commission ("Opposition") filed by Gannett Georgia, L.P. ("Gannett") for the limited purpose of correcting two statements in the Engineering Statement accompanying Gannett's Opposition.<sup>1</sup>

First, Gannett suggests that no "reputable antenna manufacturers" would construct an antenna with the pattern GPTC proposed in its Reply and that GPTC must be relying on a "theoretical" directional pattern. (Engineering Statement, at 4-5). In fact, GPTC is

<sup>1</sup> The Commission should consider this response so that it has a full and adequate record upon which to base its decision. See, e.g., *In re Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Kimberly, Idaho)*, 15 FCC Rcd. 10298 (2000), at n. 1; *In re Brunson Communications, Inc. v. RCN Telecom Services, Inc.*, 15 FCC Rcd. 12883 (2000), at n. 2; *In re Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Wallace, Idaho and Lolo, Montana)*, 14 FCC Rcd. 21110

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proposing a standard product Dielectric antenna with a published make and model number. Dielectric has proven itself to be a premier technical and market leader in broadcast antenna technology. It is well known to the FCC's engineering staff. Attached as Exhibit A are Dielectric's field patterns and data for the subject antenna.

Second, Gannett argues that GPTC's Counterproposal must be rejected because "the revised counterproposal contains a significantly different antenna pattern and effective radiated power (ERP) specifications which vary considerably from their original proposal." Engineering Statement, at 1.<sup>2</sup> While the quoted statement is factually accurate, it is also irrelevant. Proponents of channel allotments are not required to submit concrete proposals for the station proposed, but only to demonstrate that the channel will fit. Questions about the parameters of GPTC's use of Channel 4, if any, can and should be resolved when GPTC files its application for a construction permit.<sup>3</sup>

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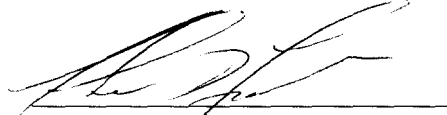
(1999), at n. 1; *In re Amendment of Section 73.606(b), Table of Allotments, TV Broadcast Stations* (Appleton, New London and Suring, Wisconsin), 10 FCC Rcd. 7712 (1995), at n. 2.

<sup>2</sup> In the Opposition, Gannett attempts to bolster its claim that "counterproposals must be technically correct and substantially complete" by relying on a number of cases that are inapposite. For example, in *In re Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations* (Carlisle, Irvine, and Morehead, Kentucky), 12 FCC Rcd. 13181 (1997), the counterproposal in question was deficient because it relied upon another station's proposed licensed site and ignored a short-spacing to the other station's present licensed site. GPTC does not take issue with the principle that a station must rely on the actual, rather than possible future licensed facilities of surrounding stations in assessing compliance with the Commission's rules; however, that principle has no bearing on GPTC's Counterproposal or Reply Comments. Similarly, a number of the other cases upon which Gannett relies involve counterproposals accompanied by requests to modify existing authorizations. See, e.g., *In re Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations* (Springdale, Arkansas, Carthage, Aurora and Willard, Missouri), 4 FCC Rcd. 674 (1989), at ¶ 1(B) (indicating that proposal requested a channel substitution and modification of a license). The modification of an existing authorization places the technical accuracy and grantability of the application squarely before the Commission. Here, in contrast, there is no application or modification at issue, and the fact that GPTC made an inadvertent error in its initial engineering study is not fatal to its Counterproposal.

<sup>3</sup> See, e.g., *In re Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations* (Cloverdale, Montgomery and Warrior, Alabama), 12 FCC Rcd. 2090 (1997), at ¶ 5; *In re Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations* (Cloverdale, Montgomery and Warrior, Alabama), 15 FCC Rcd. 11050 (2000), at ¶ 6.

As such, GPTC's Counterproposal can and should be granted.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Theodore D. Frank', written over a horizontal line.

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Date: May 24, 2001





Exhibit No.  
Exhibit 1

Date **16 May 2001**  
Call Letters **WGTV-DT** Channel **4**  
Location **Stone Mountain, GA**  
Customer **GPTV**  
Antenna Type **THA-C3-5/15-1**

## TABULATION OF AZIMUTH PATTERN

Azimuth Pattern Drawing # **THA-C3**

Angle	Field	Angle	Field	Angle	Field	Angle	Field	Angle	Field	Angle	Field	Angle	Field	Angle	Field
0	0.421	45	0.012	90	0.578	135	0.917	180	0.984	225	0.917	270	0.984	315	0.927
1	0.405	46	0.016	91	0.593	136	0.911	181	0.978	226	0.911	271	0.978	316	0.924
2	0.390	47	0.021	92	0.608	137	0.905	182	0.970	227	0.905	272	0.970	317	0.921
3	0.374	48	0.027	93	0.623	138	0.898	183	0.962	228	0.898	273	0.962	318	0.917
4	0.359	49	0.033	94	0.637	139	0.891	184	0.953	229	0.891	274	0.953	319	0.913
5	0.343	50	0.040	95	0.652	140	0.883	185	0.943	230	0.883	275	0.943	320	0.908
6	0.328	51	0.047	96	0.666	141	0.876	186	0.933	231	0.876	276	0.933	321	0.902
7	0.313	52	0.055	97	0.680	142	0.868	187	0.923	232	0.868	277	0.923	322	0.897
8	0.298	53	0.064	98	0.694	143	0.861	188	0.912	233	0.861	278	0.912	323	0.890
9	0.283	54	0.073	99	0.707	144	0.855	189	0.901	234	0.855	279	0.901	324	0.884
10	0.268	55	0.082	100	0.720	145	0.849	190	0.891	235	0.849	280	0.891	325	0.877
11	0.254	56	0.092	101	0.733	146	0.844	191	0.881	236	0.844	281	0.881	326	0.869
12	0.239	57	0.102	102	0.746	147	0.839	192	0.872	237	0.839	282	0.872	327	0.861
13	0.225	58	0.113	103	0.758	148	0.836	193	0.863	238	0.836	283	0.863	328	0.852
14	0.212	59	0.124	104	0.770	149	0.834	194	0.856	239	0.834	284	0.856	329	0.844
15	0.198	60	0.135	105	0.782	150	0.833	195	0.849	240	0.833	285	0.849	330	0.834
16	0.185	61	0.147	106	0.793	151	0.834	196	0.843	241	0.834	286	0.843	331	0.825
17	0.172	62	0.159	107	0.804	152	0.836	197	0.839	242	0.836	287	0.839	332	0.814
18	0.159	63	0.172	108	0.814	153	0.839	198	0.836	243	0.839	288	0.836	333	0.804
19	0.147	64	0.185	109	0.825	154	0.843	199	0.834	244	0.843	289	0.834	334	0.793
20	0.135	65	0.198	110	0.834	155	0.849	200	0.833	245	0.849	290	0.833	335	0.782
21	0.124	66	0.212	111	0.844	156	0.856	201	0.834	246	0.856	291	0.834	336	0.770
22	0.113	67	0.225	112	0.852	157	0.863	202	0.836	247	0.863	292	0.836	337	0.758
23	0.102	68	0.239	113	0.861	158	0.872	203	0.839	248	0.872	293	0.839	338	0.746
24	0.092	69	0.254	114	0.869	159	0.881	204	0.844	249	0.881	294	0.844	339	0.733
25	0.082	70	0.268	115	0.877	160	0.891	205	0.849	250	0.891	295	0.849	340	0.720
26	0.073	71	0.283	116	0.884	161	0.901	206	0.855	251	0.901	296	0.855	341	0.707
27	0.064	72	0.298	117	0.890	162	0.912	207	0.861	252	0.912	297	0.861	342	0.694
28	0.055	73	0.313	118	0.897	163	0.923	208	0.868	253	0.923	298	0.868	343	0.680
29	0.047	74	0.328	119	0.902	164	0.933	209	0.876	254	0.933	299	0.876	344	0.666
30	0.040	75	0.343	120	0.908	165	0.943	210	0.883	255	0.943	300	0.883	345	0.652
31	0.033	76	0.359	121	0.913	166	0.953	211	0.891	256	0.953	301	0.891	346	0.637
32	0.027	77	0.374	122	0.917	167	0.962	212	0.898	257	0.962	302	0.898	347	0.623
33	0.021	78	0.390	123	0.921	168	0.970	213	0.905	258	0.970	303	0.905	348	0.608
34	0.016	79	0.405	124	0.924	169	0.978	214	0.911	259	0.978	304	0.911	349	0.593
35	0.012	80	0.421	125	0.927	170	0.984	215	0.917	260	0.984	305	0.917	350	0.578
36	0.008	81	0.437	126	0.929	171	0.990	216	0.922	261	0.990	306	0.922	351	0.562
37	0.005	82	0.453	127	0.931	172	0.994	217	0.927	262	0.994	307	0.927	352	0.547
38	0.002	83	0.469	128	0.932	173	0.997	218	0.930	263	0.997	308	0.930	353	0.531
39	0.001	84	0.484	129	0.933	174	0.999	219	0.932	264	0.999	309	0.932	354	0.516
40	0.000	85	0.500	130	0.933	175	1.000	220	0.933	265	1.000	310	0.933	355	0.500
41	0.001	86	0.516	131	0.932	176	0.999	221	0.932	266	0.999	311	0.933	356	0.484
42	0.002	87	0.531	132	0.930	177	0.997	222	0.930	267	0.997	312	0.932	357	0.469
43	0.005	88	0.547	133	0.927	178	0.994	223	0.927	268	0.994	313	0.931	358	0.453
44	0.008	89	0.562	134	0.922	179	0.990	224	0.922	269	0.990	314	0.929	359	0.437

Remarks: Exhibit 1


## CERTIFICATE OF SERVICE

I, Amy E. Weissman, do hereby certify that I have this 24<sup>th</sup> day of May, 2001, caused to be delivered by first class United States mail, postage prepaid, the foregoing RESPONSE TO OPPOSITION TO MOTION TO ACCEPT LATE-FILED REPLY COMMENTS, AND REPLY COMMENTS OF GEORGIA PUBLIC TELECOMMUNICATIONS COMMISSION, to the following parties:

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